

REQUEST FOR COUNCIL ACTION

SUBJECT: An amendment to the current contract between Skeen & Robinson, L.L.C., for indigent criminal defense services.

SUMMARY: The current contract for indigent representation expires annually ("*Legal Defender Contract*"). The 2015 Amendment to the *Legal Defender Contract* between the City and Skeen & Robinson, L.L.C., provides for a renewal of the original terms for a period of twelve months.

FISCAL The 2015 Amendment to the *Legal Defender Contract* between the City and Skeen and Robinson L.L.C., has no fiscal impact on the City beyond what was originally agreed upon in the *Legal Defender Contract*.

The budgeted amount is \$50,000.00 per year.

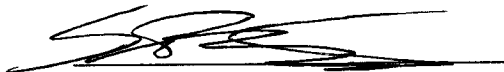
STAFF RECOMMENDATION:

Staff recommends adoption of the attached resolution authorizing the execution by the Mayor of the 2015 Amendment of the *Legal Defender Contract* between the City of West Jordan and Skeen & Robinson, L.L.C. for indigent criminal defense services.

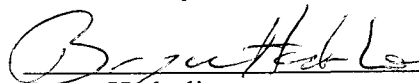
MOTION RECOMMENDED:

"I move to adopt Resolution No. 15-20, authorizing the mayor to sign the 2015 Amendment to the *Legal Defender Contract* to provide indigent defense services from February 1, 2015 to January 31, 2016.

Prepared by:


Stuart E. Williams
Deputy City Attorney

Reviewed by:


Bryce Haderlie
Interim City Manager

DISCUSSION:

The City of West Jordan, Utah is required by federal constitutional law to provide persons accused of a crime with appointed legal counsel, where: 1) the accused cannot afford legal counsel; and 2) if convicted, there is a substantial likelihood that the accused would be sentenced to serve time in jail. The expense for this service is the obligation of the City. In order to assure that each qualified person is provided with legal counsel in an orderly manner, the City Attorney's office recommends that the City enter an exclusive contract with a single criminal defense firm for all West Jordan cases requiring appointed legal counsel, except in cases of conflict.

PROPOSED AMENDED LANGUAGE:

1. Upon the mutual consent of the parties hereto and subject to the right to terminate as provided in paragraph 5 of the *Legal Defender Contract*, the City and the law firm of Skeen & Robinson, L.L.C., consent to an extension of services as defined in the *Legal Defender Contract*, and agree to continue services as set forth in the *Legal Defender Contract* from February 1, 2015 to January 31, 2016. This Agreement may be renewed for successive one year terms from the date effective of this Agreement.

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

RESOLUTION NO. 15-20

A RESOLUTION AUTHORIZING THE EXECUTION BY THE MAYOR
OF AN AMENDMENT TO THE AGREEMENT BETWEEN
THE CITY OF WEST JORDAN AND SKEEN & ROBINSON, L.L.C.

Whereas, the City Council has reviewed and considered the attached 2015 Amendment to the existing agreement ("*Legal Defender Contract*") between the City and Skeen & Robinson, L.L.C.; and

Whereas, the City Council has determined the 2015 Amendment to the *Legal Defender Contract* to be in the best interest of the City; and

Whereas, the City Council of the City of West Jordan desires that an amendment to the *Legal Defender Contract* be executed by the Mayor; and

Whereas, the Mayor is authorized to execute agreements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THAT:

Section 1. After approval as to legal form by the City Attorney, the Mayor is authorized and directed to sign the 2015 Amendment to the *Legal Defender Contract* between the City and Skeen & Robinson, L.L.C., attached hereto.

Section 2. This resolution shall take effect immediately.

Adopted by the City Council of West Jordan, Utah, this 28th day of January, 2015.

CITY OF WEST JORDAN

By:

Mayor Kim V. Rolfe

ATTEST:

MELANIE BRIGGS, City Clerk

Voting by the City Council

"AYE"

"NAY"

Jeff Haaga

Judy Hansen

Chris McConnehey

Chad Nichols

Ben Southworth

Justin D. Stoker

Mayor Kim V. Rolfe

**2015 AMENDMENT TO THE AGREEMENT FOR SERVICES BETWEEN
THE CITY OF WEST JORDAN AND SKEEN & ROBINSON**

THIS 2015 AMENDMENT TO THE AGREEMENT FOR SERVICES is entered into as of the 28th day of January, 2015, between the CITY OF WEST JORDAN (the "CITY") and SKEEN & ROBINSON, L.L.C. and amends paragraph 4 of the Agreement for Services ("*Legal Defender Contract*") between the City of West Jordan and Skeen and Robinson.

RECITALS:

- A. The City and the law firm of Skeen & Robinson desire to extend the *Legal Defender Contract*.
- B. The City and the law firm of Skeen & Robinson agree to replace paragraph 4 of the *Legal Defender Contract* with the below amended language.

AMENDMENT:

NOW, THEREFORE, in consideration of the mutual obligations set forth in the *Legal Defender Contract* and other good and valuable consideration, the parties agree as follows:

- 1. Upon the mutual consent of the parties hereto and subject to the right to terminate as provided in paragraph 5 of the *Legal Defender Contract*, the City and the law firm of Skeen & Robinson, L.L.C., consent to an extension of services as defined in the *Legal Defender Contract*, and agree to continue services as set forth in the *Legal Defender Contract* from February 1, 2015 to January 31, 2016. This Agreement may be renewed for successive one year terms from the date effective of this Agreement.

ENTERED INTO AND AGREED TO on the date first set above.

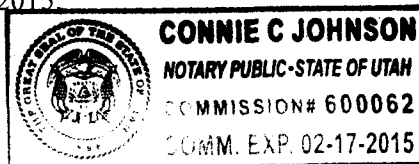
SKEEN & ROBINSON, L.L.C

STATE OF UTAH)

:ss.

COUNTY OF SALT LAKE)

The above instrument was acknowledged before me by Shawn Robinson, this 22nd day of January, 2015.



Connie C. Johnson
Notary Public
Residing in Salt Lake County

CITY OF WEST JORDAN

ATTEST:

By: _____
Mayor Kim V. Rolfe

West Jordan City Clerk